

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA,)	
Plaintiff,)	Case No. 2:97-CV-94
)	Judge Greer
vs.)	
)	
REGENIA L. SKINNER,)	
Defendant.)	

MEMORANDUM OPINION AND ORDER

This matter is before the Court on the motion of plaintiff to compel post-judgment discovery, [Doc. 7]. The defendant has not responded to the motion and the relief sought by the United States is apparently unopposed. For the reasons which follow, the motion will be granted.

On August 25, 1997, judgment was entered against the defendant in the total amount of \$7,859.01, plus interest, costs and surcharges, [Doc. 6]. According to the present motion, the United States served defendant with interrogatories in aid of execution on October 3, 2007, and again on March 28, 2008, and on July 10, 2008. The United States also served defendant with requests for production in aid of execution on July 10, 2008.¹ The defendant has not responded to any of these

¹ Service was apparently completed by the United States by U.S. Mail, after the government confirmed defendant's mailing address with the U.S. Postal Service.

discovery requests.

Given that the defendant has neither timely responded nor objected to these discovery requests, the United States is entitled to an order compelling the defendant to respond to the outstanding discovery requests. It is therefore, ORDERED that the defendant shall fully and completely respond to the United States' interrogatories and requests for production of documents withing twenty (20) calendar days of service of this order on the defendant as provided below. THE DEFENDANT IS ADVISED THAT FAILURE TO COMPLY WITH THE COURT'S ORDER MAY RESULT IN DEFENDANT BEING HELD IN CONTEMPT OF COURT. See Fed. Rule Civ. Pro. § 37(b)(2)(A)(vii).

The United States has also requested an award of "the reasonable expenses it has incurred in the making of this motion, including reasonable attorneys' fees." Rule 37(a)(5)(A), Federal Rules of Civil Procedure, provides that "The court must, after giving an opportunity to be heard, require the party . . . whose conduct necessitated the motion . . . to pay the movant's reasonable expenses incurred in making the motion . . ." The defendant is further ORDERED, therefore, to show cause, within twenty (20) calendar days of service of this order on the defendant as provided below, why the Court should not award to the United States reasonable expenses incurred in the making of this motion.

Since the defendant's address does not appear in the Court's file, the United States is DIRECTED to serve a copy of this order on the defendant and to file appropriate proof of service within ten (10) days of the entry of this order.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE